

what communication and financial records that we are examining in our attempts to thwart future terrorist attacks?

I think not. Nor do I think the American public wants a system that inordinately tips our hand to our enemies.

At the end of the day, I think that the compromises made with respect to NSLs in this bill should be recognized as a good faith effort to strengthen the rights of those who have legitimate challenges to the reasonableness of the governmental request for information.

In the spirit of compromise and in recognition that many citizens have expressed concerns about this bill and are just now focusing on the long-standing NSL procedures, I think it appropriate to make these accommodations so long as we do not unduly burden legitimate law enforcement needs and longstanding practices.

Let me summarize my position on the PATRIOT Act.

I support the Conference report revisions to the PATRIOT Act, although I do not favor each and every particular change.

I urge my colleagues to vote yes on cloture and yes on final passage.

I congratulate the House of Representatives for its leadership in passing this bill yesterday with a bipartisan vote.

I commend my friend, Chairman JIM SENSENBRENNER, for his leadership of this conference committee.

I commend my friend, Senator SPECTER, for his leadership in working overtime to achieve a broad bipartisan consensus on this bill.

I want also commend all of my fellow conferees, including all of those Democratic conferees who did not sign the conference report.

These are important issues and I understand and respect that many in Congress and the American public comes to this debate from different perspectives. I do not question anyone's patriotism just because they are raising questions and concerns about this revised version of the PATRIOT Act. I might question their wisdom and judgment as pertaining to this particular bill but never the ism.

I hope that it comes time to vote that my colleagues will recognize that this is a good, compromise bill.

I understand that not everyone will agree with every jot and tittle of this bill—I certainly do not.

On balance the PATRIOT Act has worked well and we have every reason to believe that these changes will make the PATRIOT Act work even better.

This bill is good for Americans and bad news for the terrorists.

That is the way it should be.

I strongly disagree with those who would filibuster the motion to proceed to this conference report.

Let this body have the same up and down vote that the House held on Wednesday.

A three-month extension just shows the American public that this body cannot even do one of those rare and

unusual must-do pieces of legislation in a timely fashion.

As well, no doubt some political pundits will likely interpret a 3-month punt on the PATRIOT Act as a short-term political defeat for the administration.

But this is a double edged sword: The American public will not be pleased if, after they have had the time and opportunity to reflect on the facts, they come to the conclusion that failure to accomplish a comprehensive renewal and strengthening of the PATRIOT Act before the end of this year is interpreted by our enemies as somehow inviting or even enabling further terrorist attacks on U.S. soil.

The Senate should vote to send this bill to President Bush's desk.

I ask unanimous consent that a letter to the Senate and House of Representatives from the board of directors of the 9/11 Families for a Secure America be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

9/11 FAMILIES FOR A  
SECURE AMERICA,

*Staten Island, NY December 14, 2005.*

To the United States Senate and House of Representatives:

The members of 9/11 Families for a Secure America ask you to vote "yes" on the conference report to HR 3199, the Reauthorization of the Patriot Act.

Our families understand that an important reason the 9/11 mass murderers were able to "succeed" in their conspiracy was the existence of "the wall" that blocked information sharing between law enforcement and the intelligence community. The Patriot Act removed that "wall" temporarily and it is important to now remove it forever so that the next 9/11 killers are not aided by the laws of our own country.

The Conference Report addresses many of the objections expressed by some Members to HR 3199 as passed by the House, and is a most reasonable compromise. It is quite apparent that the remaining objections, expressed by a few Members, are based upon theoretical possibilities for abuse of civil liberties. However, the four year history of the Patriot Act has shown what the Washington Post calls "little evidence of abuse, and considerable evidence that the law has facilitated needed cooperation."

Thus, the objections of the opponents of HR 3199 are simply illusions. In contrast, it is not an illusion that nineteen foreign terrorists took advantage of our government's refusal to give its law enforcement and intelligence officers the logical and obvious tools needed to catch the conspirators prior to September 11, 2001. The result was the murder of our parents, spouses, children and friends. We are convinced that the reality of 9/11 outweighs the minor, hypothetical objections that have been raised.

Some Members may think the final version of HR 3199 not quite perfect, but defeat of the Patriot Reauthorization means freedom of operation for terrorists and more needless deaths of innocent Americans. We think that concern for the safety of this country demands that these Members compromise and accept something that may be a little less than what they view as perfection. Please vote "yes" on the conference report to HR 3199.

Sincerely,

The Board of Directors, 9/11 Families for a Secure America:

Bruce DeCell, Sergeant, NYPD (retired), father in law of Mark Petrocelli, age 29.

Bill Doyle, father of Joseph, age 24, WTC North Tower.

Lynn Faulkner, husband of Lynn, WTC South Tower.

Peter & Jan Gadiel, parents of James, age 23, WTC, North Tower 103rd floor.

Grace Godshalk, mother of William R. Godshalk, age 35, WTC South Tower 89th floor.

Joan Molinaro, mother of Firefighter Carl Molinaro.

Will Sekzer, detective Sergeant (retired), NYPD, father of Jason Sekzer, age 31, WTC North Tower 105th floor.

Mr. HATCH. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. THUNE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. BURR). Without objection, it is so ordered.

### WAR IN IRAQ

Mr. THUNE. Mr. President, I rise today to speak briefly about the progress on the war in Iraq and, importantly, the well-being and morale of our troops in the field.

Last week, the State of South Dakota lost two of its sons in Iraq, SSG Daniel Cuka, 27, from Yankton, SD, and SFC Richard Shield, 40, from Tabor, SD. Both served in the 147th Field Artillery of the South Dakota National Guard and were killed by improvised explosive devices while riding in their humvees.

They were assigned the mission of assisting in the training of Iraqi police. Three other members of their battery were also wounded. South Dakota is now in the process of grieving for and honoring these two brave men who answered the call of duty.

One week after this tragic loss, an historic event occurred today in Iraq that gives particular meaning and value to the lives and sacrifice of these two men. Today Iraq held a national election to fill parliamentary seats and it appears that there was a massive turnout of voters from each of the major ethnic and religious groups, including from the Sunni population that only a few months ago rejected any participation in the political process.

This election is only the latest in a series of milestones giving testimony to the great progress that has already been made in our effort to transform this country into a true democracy. Granted, it will be a long road to the kind of democracy we have in this country. But it was a long and bumpy road in our own journey. The fact that this Iraqi election occurred at all, is amazing considering where the people of Iraq were 5 years ago, without freedom to determine their future and under the heel of Saddam Hussein's tyranny.

Despite the naysayers in this country, optimism among Iraqis is becoming infectious. Of course, optimism and support for what we are doing has always been prevalent among our troops. Thanks to them and the sacrifices they are making, we are on the cusp of delivering something very special into the hands of the Iraqi people—the ability to shape and control their own lives, lives free from the tyranny of dictators, free from radical Islamic intimidation, and free from hopelessness.

Let us dispell the fiction that America is not making progress in Iraq, right here and right now. Under United States training and guidance, 97 Iraqi battalions are now conducting security operations throughout Iraq. In July of last year, there were only 5 Iraqi battalions equipped and trained to fight.

Currently, 33 battalions have assumed their own areas of operation. Last year at this time, the Iraqi security forces did not have control over any areas of operation. Iraqi border police are now manning 170 border compounds and 22 ports of entry. Over 75,000 Iraqi policemen are patrolling Iraqi cities. In the last election in January, 130,000 Iraqi security forces successfully protected polling sites all over the country and inspired a wave of pride throughout the country and a sharp increase in recruitment. We anticipate that in the election that occurred today, over 225,000 Iraqi security forces provided security to the polling places.

In the January election almost a year ago, 8.5 million Iraqis turned out to vote, defying terrorists threats. In the October referendum, 10 million voters turned out. We expect significantly greater numbers in this election, including from the Sunni population whose Mullahs are now encouraging their people to get out and vote after opposing their participation in previous elections. Progress is clearly being made. To say otherwise is simply inaccurate and demoralizing to our troops in Iraq who are risking their lives to achieve these great milestones.

I would like to read a portion of an email sent to me by the mother of a South Dakota soldier stationed in Iraq.

Dear John, I am a commissioner in Corson County, McIntosh, SD. I also, happen to be a mother of 2 children in the Army. My son is now in Iraq, stationed at Ar Ramadi—not a very nice place right now! The purpose of this email is to ask you to pass on to Congress the fact that all their back stabbing and finger pointing is very devastating to the families of the sons and daughters now in Iraq. If they think they are representing the families by doing what they are doing on the Hill and in the press they are sadly mistaken. I don't want my son to be where he is, but anyone with any kind of sense knows that we cannot just pick up and desert the Iraqi's at this point. . . . Please, Please get this message out that this is not what the parents, husbands, wives, and families need to hear from our leaders. We have enough worry every waking moment knowing our kids are in harms way. We don't need the politicians using our loved ones in order for them to further their political future.

The two fallen soldiers who are being honored today at a memorial service in South Dakota gave their lives for a cause greater than themselves. Those family members they left behind deserve to know their sacrifices were not in vain.

We will win this war and Iraq will be a free independent democracy. When our work is finished, Iraq will provide a vision and a clear path for other countries in the Middle East to follow toward freedom and democracy. As Americans, we cannot leave the Iraqi people with anything less.

I ask unanimous consent that a written statement honoring and paying tribute to Sergeants Cuka and Schild, two American heroes, be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Mr. President, South Dakota has paid a heavy price in the effort to make Iraq a functioning democracy and the world a safer place. To date, fifteen South Dakota soldiers have made the ultimate sacrifice in Afghanistan and Iraq, nine of whom died from hostile fire. About 85 percent of South Dakota's National Guard members have been mobilized. Earlier this month, two brave soldiers from my state paid the ultimate price, and three more were wounded. I rise today to give voice to the tremendous sympathy all South Dakota citizens have for the families and friends of each of the courageous soldiers our state has lost and this month, specifically, Army Sgt. 1st Class Richard Schild and Army Staff Sgt. Daniel M. Cuka. On December 4th these two soldiers of the South Dakota National Guard were killed by roadside bombs in Iraq as they went about the dangerous and critically important mission of training the Iraqi Police Force in one of Baghdad's police districts. They have made the ultimate sacrifice in service to our nation, and we as a nation will be forever in their debt.

The soldiers of Battery C of the 147th Field Artillery unit arrived in Baghdad only very recently, and have already been exposed to the horror of war, and the deaths of some of their friends. South Dakota has a very small population, Mr. President, and word of the deaths of our citizen soldiers fighting the war on terror has hit us very hard. I am proud of our state's outpouring of support during this time of great personal tragedy for the loved ones Sgt. Schild and Sgt. Cuka have left behind. I know the communities of Yankton and Tabor will miss them very much.

The lives of these two soldiers are emblematic of the many citizen soldiers currently serving in Iraq. Sgt. Cuka graduated from Yankton High School in 1996 and married his wife Melissa in 2000. They had two young children, Abby, who is 5 years old, and Alex, who is 2. Sgt. Cuka led an active life, and dedicated his life to serving and protecting the public. Apart from serving nearly ten years in the National Guard, he served with Yankton Area Search and Rescue, and his unit has retired his call number, the highest honor it can bestow. He worked for Wilson Trailers in Yankton, and still found time to attend classes at Mount Marty College.

Sgt. Schild was the office manager of Bon Homme Yankton Electric Cooperative. He and his wife Kay also have two young children. He was serving in Iraq along with his brother, Brooks. After graduating from Mount Marty College, he joined the National Guard. It is clear that Sgt. Schild was highly

dedicated to doing his duty, and had a strong sense of community. Even though events in the Middle East made it seem likely he would be called to active duty, Sgt. Schild still re-enlisted. Even while he was in Iraq, Sgt. Schild was still concerned about his community being without power due to a severe winter storm late last month. In fact, the National Guard helped to mitigate the effects of that storm. It is humbling to be able to represent a community that has people like Sgt. Schild and Sgt. Cuka.

The human toll during wartime always gives us pause to reflect on what we are fighting for in the war on terror. Throughout America's history, we have faced determined enemies on the battlefield, and we have been victorious. In this war, we face a determined enemy that lurks in the shadows, far from anything that can be characterized as a battlefield. Sgt. Schild and Sgt. Cuka fell to an enemy that could not face them on the battlefield.

The challenges faced by our soldiers in Iraq are far more complicated and delicate than the challenges of a traditional battlefield. While our soldiers make every possible effort to avoid civilian casualties, they face an enemy that hides among civilians, and an enemy that rejoices in maximizing civilian casualties. Sgt. Schild and Sgt. Cuka died while helping the vast majority of peaceful Iraqi citizens develop the means to protect themselves, build a democracy, and enforce the law. They were part of an effort to make the world a safer and freer place for us and for future generations of Americans.

When I think on the deaths of Sgt. Schild and Sgt. Cuka, and indeed all of the deaths of our soldiers in the war on terror, I am reminded of a passage of Scripture that says "Greater love hath no man than this, that a man lay down his life for his friends." To the families of Sgt. Schild and Sgt. Cuka, please know that all South Dakotans have lifted you up in our hearts, and that you are in our thoughts and prayers. If there is anything we can do for you, we will do it. I hope it may provide some small measure of comfort to you to know that Sgt. Schild and Sgt. Cuka have laid down their lives for their friends, and we are forever grateful.

Mr. THUNE. What they gave to the State of South Dakota, to this great country and to the people of Iraq should never be forgotten.

I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### MORNING BUSINESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that there now be a period of morning business with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### IRAQI VOTE FOR FREEDOM

Mr. FRIST. Mr. President, today marks a proud and momentous day in Iraq's history. Today, on December 15,